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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,706	04/27/2001	Arun Shah	68110328.713	9552

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PATENT DEPARTMENT
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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 07/01/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,706

Applicant(s)

SHAH ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed on March 29, 2004 has been received and entered. Claims 1-10 are pending.

2. Acknowledgment is hereby made for the amended title.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Egilsson et al. (U.S. Patent No. 6,434,557).

As to claims 1, and 6, Egilsson et al. discloses a computer readable medium for storing a plurality of instructions for calculating a measure, said plurality of instructions comprising:

receiving a request to calculate a measure (See column 18, lines 30-46), said measure associated with one or more requested levels (See column 15, lines 30-60);

determining at least one allocated level for the measure (See column 17, lines 42-46);

selecting a first star from a first stargroup associated with the measure (See column 16, lines 13-30), wherein the first star supports the at least one allocation level for the measure (See column 16, lines 31-54),

selecting a second star from a second stargroup associated with a control measure, wherein the second star supports the one or more requested levels (See column 16, lines 13-54, wherein “second star” reads on “grouping”).

As to claims 2, and 7, Egilsson et al. discloses computer readable medium wherein the plurality of instructions (See column 4, lines 34-65) comprising determining at least one allocated level (See column 5, lines 57-67, and see column 6, lines 1-21) further comprises:

comparing the requested levels to a lowest level star in the first stargroup (See column 12, lines 3-10); and

selecting for each requested level, a minimum of the requested level and a corresponding one of one or more dimension levels associated with the star (See column 12, lines 29-65, also see column 17, lines 31-46).

As to claims 3, and 8, Egilsson et al. discloses the computer readable medium wherein the plurality of instructions (See column 4, lines 51-65) further comprising:

calculating the measure for the allocated levels (See column 17, lines 31-46); and
calculating the control measure for the requested levels (See column 7, lines 30-35, also see column 8, lines 48-67).

As to claims 4, and 9, Egilsson et al. discloses determining the allocated levels (See column 2, lines 43-63) further comprises:

determining the allocated levels wherein no star exists which supports the measure at the requested levels (See column 2, lines 1-16, wherein “no star” reads on “non-associative”, also see figure 8 which shows the measurement allocation).

As to claims 5, and 10, Egilsson et al. discloses wherein the control measure is a predetermined measure associated with the measure (See column 4, lines 10-18, wherein “predetermined” reads on “set”, also see column 5, lines 57-67, and see column 6, lines 1-21).

Response to Arguments

5. Applicant's arguments filed on March 29, 2004 have been fully considered but they are not persuasive.

In response to applicant's argument that "Egilsson does not teach a method of calculating a measure by determining an allocated level for the measure" is respectfully acknowledged but is not deemed to be persuasive.

The Examiner respectfully points to column 17, lines 42-46, and column 17, lines 27-34 wherein the aggregation of fact tables is disclosed by Egilsson is interpreted to read on allocated level since a table by definition contains levels of data in different fields that could be combined by calculations or measures to produce additional categories. Egilsson by stating in column 17, lines 34-43 generating dimension table...it does not need to have any additional levels, just the lowest level, is indeed acknowledgement showing that prior art has been constructed of multiple levels and that the possibility is present for either choice to be implemented.

Also see Egilsson column 2, lines 51-64, teaches variable level of granularity indicating more than one level. Also by aggregating data, Egilsson is taking what data fields already populated or assigned (thereby allocated) and go further to produce a combined result.

In response to applicant's argument that "Egilsson does not teach determining at least one allocated level for the measure" is respectfully acknowledged but is not deemed to be persuasive.

The Examiner respectfully points to Egilsson column 10, lines 20-59, teaches hierarchy and data levels populated with values. Measurement can be calculated or combined at any level to form a new association. The user can select a dimension and a particular level on some level set structure, as taught by Egilsson in column 10, lines 20-34. Egilsson in column 8, lines 48-56 defined how to locate the measurement in the level thereby indicating a value has been assigned and allocated and thereby a measure can be attributed to it as well.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
June 24, 2004


CHARLES RONES
PRIMARY EXAMINER